



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

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**JUN 29 2006**

**Ref: 8EPR-N**

**David M. Pieper, Grasslands Supervisor  
Dakota Prairie Grasslands  
240 W. Century Ave.  
Bismarck, ND 58503**

**RE: Dakota Prairie Grasslands (DPG) Noxious Weed  
Management Project, Draft Environmental Impact  
Statement  
CEQ# 20060164**

**Dear Mr. Pieper:**

The Environmental Protection Agency (EPA) Region 8 Office has reviewed the Draft Environmental Impact Statement (DEIS) for the U.S. Forest Service's Dakota Prairie Grasslands Noxious Weed Management Project. The EPA reviews EISs in accordance with its responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309 of the Clean Air Act directs EPA to review and comment in writing on the environmental impacts of any major federal agency action. The EPA's comments include a rating of the environmental impact of the proposed action and the adequacy of the NEPA document.

The EPA agrees with the need in the DPG Noxious Weed Management Project for an integrated approach to continue to treat existing and future infestations of noxious weeds. Currently, 57,234 acres, or four percent, of the 1.25 million acre DPG are infested with a variety of noxious weeds. The EPA commends proposed efforts to address invasive weed infestations before weed problems become an epidemic. Noxious weeds can threaten biodiversity by competing with native plants and producing a monoculture that has little or no plant species diversity or benefit to wildlife. Impacts to native plant communities are much reduced when control actions are taken at an early stage of invasion.

We support the proposed integrated weed management methods in the preferred alternative, Alternative 1, and we recognize that aerial application of herbicides facilitates effective weed management where there are large areas of weed infestation across inaccessible terrain. We do consider it important, however, to ensure that adequate measures are incorporated into aerial applications to mitigate risks of adverse health and environmental effects (e.g., avoid drift of potentially toxic herbicides to aquatic areas or other sensitive areas).



The design criteria and mitigation measures included in Table 6 appear to recognize the need to avoid drift of herbicides to non-target areas. EPA is pleased to see that the accuracy and safety of aerial pesticide application has been taken into account, and helicopters will be used to conduct aerial application of herbicides.

We support the proposal to have a strong monitoring and adaptive management program that facilitates quick and effective treatment of newly discovered weed infestations and a treatment decision flowchart for decision making. EPA recommends an adaptive management program that monitors treatment activities and effects; documents and assures effective weed treatment with minimal impacts on non-target species; and avoids other adverse environmental or public health effects.

We encourage the Forest Service to track weed infestations, control actions, and effectiveness of control actions in a Forest-level weed database. We also support the ongoing evaluation of new technologies, biological controls and herbicides as they become available over the lifetime of this project.

EPA is pleased that the DEIS includes monitoring of water samples to detect the presence of herbicides from drift, leaching or runoff. Aquatic monitoring is an important element of an effective weed management program. Monitoring can ensure that herbicide application protocols and environmental protection measures are effective in preventing herbicide transport to surface and ground waters. Such monitoring should increase public confidence that chemical contamination of surface waters does not occur. The Forest may also want to consider monitoring for herbicide concentrations in soils, and soil microbiologic assays or assessments of soil fertility.

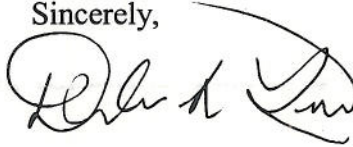
In Table 10, the DEIS identifies the Hankinson and Sheyenne Delta aquifers as highly vulnerable to herbicide contamination, and identifies the Denbigh and Yellowstone-Missouri aquifers as moderately vulnerable. Because of their vulnerability, those four aquifers are included in the state's monitoring program. To further protect these vulnerable aquifers from contamination, EPA recommends that the Forest Service add mitigation measures to its current monitoring plan. This could include requiring buffers around wetlands and lakes during application, and considering rainfall forecasts, topography near surface water, soil infiltration capacity, amount of ground cover, flow obstructions that retard overland flow, and herbicide persistence and mobility in application planning.


EPA supports the Orchid Recovery Strategy for the Western Prairie Fringed Orchid, which is a Threatened species located on the Sheyenne National Grassland. The DEIS acknowledges that the Orchid is sensitive to herbicide treatment (page 33), and past applications of Plateau herbicide have caused mutations in the Orchid. The document's risk assessment summary indicates a commitment by the Forest Service to follow herbicide product labels, adhere to mitigation measures and Design Criteria, and consult with a unit botanist to minimize or avoid impacts to the Orchid.

Based on the procedures EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed action and alternatives in an EIS, the DEIS has been rated as 'Category LO-1 (Lack of Objections – Adequate Information)'. A copy of EPA's rating criteria is attached.

EPA concurs with the need for an expanded integrated weed management program to prevent the establishment and spread of noxious weeds, including some aerial application of herbicides. We suggest the FEIS include adequate environmental protection measures to reduce potential for herbicide transport to surface and ground waters and to protect public health. EPA appreciates the opportunity to review and comment on the DEIS. If we may provide further explanation of our concerns please contact Jody Ostendorf of my staff at 303 312-7814, or me at 303 312-6004.

Sincerely,



 Larry Svoboda  
Director, NEPA Program  
Ecosystems Protection and Remediation

Enclosure:

Ratings criteria

